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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/224,211 12/30/98 WASSOM

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EXAMINER

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HATILIT

ART UNIT

PAPER NUMBER

2173

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



Office Action Summary

Application No.
09/224,211

Applicant
Jack Wassom et al.

Examiner
Tadesse Hallu

Group Art Unit
2173



☒ Responsive to communication(s) filed on Dec 30, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-55 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-55 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☒ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 10

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it fails to be within the range of 50 to 250 words. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

3. **Claims 1-2, 4, 6, 11-27, 29-30, 32, 34, 39-55 are rejected under 35 U.S.C. 102^b(a) as *RB* being anticipated by Carpenter et al. (WO 97/34388).**

Carpenter et al. ("Carpenter") relates to user interface, wherein there is a system and method defining themes or graphical objects based on a common user interface for interacting with a computer information service.

Per claims 1 and 29:

Carpenter discloses a set of controls under each identified theme, such as an adult or a *standard Home Screen 14* and a *Home Screen for children 16*, wherein a set of user interface

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controls or options correspond to the identified grouping, for example, *My Stuff*, *My Shortcuts* controls of 14 (see page 6, lines 7-23, & Fig. 1A).

Per claims 2 and 30:

Carpenter discloses displaying the set of controls or options under each theme. Also discloses a Main Menu control option to locate a customized content area (see page 6, lines 7-23, & Fig. 1A).

Per claims 4 and 32:

Carpenter's user interface controls include a configurable button (see page 6, lines 1-6, & Fig. 1A-1B).

Per claims 6 and 34:

Carpenter's user interface provides a customized control interface wherein the controls may be configured differently for a different theme (page 3, line 17-page 4, line 8, page 7, lines 1-19, page 11, lines 1-9).

Per claims 11-13 and 39-41:

Carpenter describes a specific demographic group such as adults, kids, or teens (see page 5, lines 3-8, col 8, lines 1-6).

Per claims 14 and 42:

Carpenter further describes controlling content in a number of ways such as access control via inclusion/exclusion of content pointers from various menus for a specific demographic group.

Per claims 15-17 and 43-45:

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Carpenter's information service system further provides e-mail, network browsing and chat services (page 16, lines 20-page 17, line 10, Figs 1a-c, and 4).

Per claims 18-20 and 46-48:

Carpenter further discloses receiving user information via a network connection and based on the received user information content determining the group ((page 16, lines 20-page 17, line 22).

Per claims 21-25 and 49-53:

Carpenter further discloses Login Screen to identify a user and associating such user to a group of users such as demographic group such as adults, kids, or teens. Selection of one of these groups is also shown. Carpenter further discloses the grouping further provides an identification user characteristic such as age and identifying services user permitted to access (see Fig. 1a, page 3-8, pages 6, lines 7-19, col 9, lines 3-13).

Per claims 27 and 55:

Carpenter further provides receiving information from a remote site describing the set of user interface controls (Fig. 4, col 16, line 20-col 17, line 23).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. **Claims 3, 5, 7-10, 28, 31, 33, 35-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Carpenter et al. (WO 97/34388) in view of Arcuri et al. (6,133,915).**

Per claims 3, 5, 7-10, 31, 33 and 35-38:

Carpenter's user interface does disclose a Main Menu screen (topics/action screen) as shown in Figs. 1B. But the user interface having a toolbar, drop-down menu, adding and removing a user interface control, and eliminating or adding menu choices provided via drop-down control are not explicitly shown or disclosed.

However, Arcuri discloses these shortcomings. Arcuri's graphical user interface discloses a set of controls on a toolbar, a drop-down menu, adding and removing a user interface control. Arcuri further discloses changing or customizing the menu options via drop-down control (see Arcuri: abstract, Figs. 2a-2e, col 3, line 20-col 4, line 6). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made that to incorporate Carpenter's graphic user interface system to a customized toolbar controls so that it will allow or provide a greater flexibility of interaction between the user and the system.

Per claim 28:

Carpenter's user interface does disclose a Main Menu screen (topics/action screen) as shown in Figs. 1B. Carpenter further discloses Login Screen to identify a user or receiving a user identification over a network connection and associating such user to a group of users such as demographic group with a different maturity levels (adults, kids, or teens). (see Fig. 1a, page 3-

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8, pages 6, lines 7-19, col 9, lines 3-13, fig. 4). But the user interface having a toolbar associated with a determined grouping is not explicitly shown.


However, Arcuri discloses this shortcomings. Arcuri's graphical user interface discloses a different set of controls on a toolbar (see Arcuri: abstract, Figs. 2a-2e, col 3, line 20-col 4, line 6). Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made that to incorporate Carpenter's graphic user interface system to a customized toolbar controls so that it will allow or provide a greater flexibility of interaction between the user and the system.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Tadesse Hailu*, whose telephone number is (703) 306-2799. The Examiner can normally be reached on M-F from 9:00 - 5:30 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, *John Cabeca*, can be reached at (703) 308-3116 Art Unit 2173 CPK 2-4A51

7. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Tadesse Hailu Nov 15, 2000


RAYMOND J. BAYERL
PRIMARY EXAMINER
ART UNIT 2173